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THE

Grand Pyrate :

Or, the

LIFE and DEATH

OF

Capt. *GEORGE CUSACK*
The great Sea-Robber.

WITH

An Account of all his notorious Robberies both at
Sea and Land.

TOGETHER

With his *TRIAL, CONDEMNATION, and*
EXECUTION.

Taken by an Impartial Hand.

Licensed *Novemb. 19. 1675. Roger L'Estrange.*

LONDON,

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Grand Pyrate :

Of the

LIFE and DEATH

OF

THE GREAT SEA-ROBBER.

WITH

A HISTORY OF HIS VENTURES AND THE
CIRCUMSTANCES OF HIS DEATH.

TOGETHER

WITH A HISTORY OF THE
PIRATE'S LIFE.

AND A HISTORY OF THE

PIRATE'S DEATH.

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THE
GRAND PIRATE,
 Or the LIFE and DEATH of
 Captain **GEORGE CUSACK.**



THE World hath been long entertained with Accounts of *Highway-men* and *Land-Robbers*, but *Piracies* and *Sea-Robbers* being for the most part either under the guard & protection of some *States*, that avowedly drive this infamous Traffick, as they of *Algiers* and *Salley* do, or on the pretence of a *Commission* from some Prince engaged in a War with his Neighbours; therefore it is hoped that the following Account shall be received and read generally, since it contains some of the passages of the most signal *Sea-Robber*, that perhaps this Age hath known, who encouraged with success, did with a most daring boldness, drive that cursed Trade for 25 years, and not daunted

with one misfortune, continued and improved in his villainous course of life, till at length this Captain *George Cusack* (for that was his name) was taken, and being found guilty of unparallell'd Crimes, was put to death at the Execution Dock on Monday the Eighteenth of *January*, 1674. according to the Sentence pass upon him.

G *George Cusack* Son to one Mr. *Cusack* of *Granstowen* in the County of *East-Meath* in *Ireland*, was bred a Scholar and a Roman Catholick, and was disposed by his Parents for a Fryer, but the wildness of his youth not agreeing with a Religious Life, made him first rob his nearest Kinsman Mr. *Benedict Arthur* of Sixty pounds and his Watch within two Miles of *Dublin* in the year 53; after which he went to serve as a private Souldier in *Flanders*, but the severity of that Discipline not agreeing with his looser temper, he did betake himself to Sea-Service in several *Privateers*, where he continued for some time in a private capacity; but after frequent removals, his first Rise was to the degree of a Gunners Mate aboard of Captain *North*, in a Voyage to *Guinney*; where being very mutinous, and usual punishments not being able to keep him in order, his Captain put him aboard the *Gift* Frigate, Captain *Reynolds* Commander, in whom he sayled to *Barbadoes*; and after his return entred himself a Midship-man aboard Sir *Edward Spragge*: by whom being employed as a Press-Master in the former Dutch War, amongst many others he prest onethat was in the hands of the Bayliffs, taken by them upon Execution; and carried him clear away; for which and for being a grand Mutineer, he was afterward seized, and committed a Prisoner to the *Marshalsey* for some moneths.

But at last being set at liberty, and having resolutions

to

to raise himself by any sinister wayes, and determining to surprize and run away with the first good Ship he could get employment in, it so happened, that in the year 1668. being at *Cadiz* in *Spain*, he was entertained as Gunner aboard the *Hopewell* of *Tangier*, Captain *Lambert Bartholomew Welters* Commander, a Vessel of about 250 Tuns, and 24 Guns, bound from *Tangier* to *Virginia*, and richly laden, who sayling from *Cadiz* the second of *September*, and the next day springing a Leak, thereupon by the general opinion of Officers aboard, it was thought best to put in at the *Grand Canardes* to stop it, where meeting with contrary winds, they constrained them to make more Southerly. Upon the Eighth of *October* following at One of the Clock in the Morning, being in 24 Degrees and about 40 Minutes Northern Latitude, and about 220 English Leagues Westward from *Terre*, the said *George Cusack*, with one *Richard Parson*, one of the Mates or Pilots, and several others of their Confederates, having privately armed themselves, fell upon the Watches, and by violence seized the said Captain *Lambert*, *Thomas Power* Merchant and Supercargo of the said Vessel, *Daniel Gilson* chief Mate, together with the Boatswain, Carpenter, Butler, and several others; having first through the great Cabbin door shot the Cabbin-Boy through the Thigh, and the Carpenter upon the Deck through the Buttock, whom they also wounded in the Arm, together with the Boatswain, all whom this *Cusack* commanded unto the Round-house, placing Guards over them; where they apprehended every minute to be murdered and thrown over-board; at last he hawled out the small Boat of the Ship, and by violence forced into the Boat Captain *Lambert*, with the chief Mate, the wounded Carpenter, the Butler with three Seamen more, whom he exposed to the mercy

ey of the Octan, denying them the Long-boat, though they begged it upon their knees, without giving any reason for so inhumane an action, or having any provocation thereunto.

The said *Thomas Power* being commanded out of the Round-house with the rest, observing the said *Cusack* to be the principal Conspirator, desired to speak a few words with him before he was put off, who replied, *God damme, what you have to say, say quickly*; whereupon the said *Power* desired him to Pistol him there, rather than to expose him to the mercy of the Sea, for he had rather dye a sudden death, than a certain lingering one; but withall told him, he conceiv'd he had a better way for the saving of his life, for a day or two might be of use to him till he had taken an account of the Ships Cargo, & how she was stored with Water and Provision, which having done, he might Pistol him; or throw him over-board at pleasure. Upon which the said *Cusack* forthwith commanded the said *Power* into the great Cabbin, under the command of two Musquetiers, straitly charging them upon pain of death to shoot him if he spoke to any man. The Boat being fired at by a small shot out of the Gun-room by one *Edward Batry*, and forced away, *Cusack* together with *Baxlew*, the same day broke open Captain *Lambert's* Chests, and there divided betwixt them all the Goods and Money in equal proportion, together with all the things of value belonging to Captain *Lambert* in the great Cabbin, declaring their resolution of running away with the Ship and Cargo, and of taking or sinking all Ships or Vessels they should meet with belonging to any Nation, English only excepted: promising to all persons aboard that joyned with them, their proportion and shares of the Ship and Cargo; together with all other Ships they should afterwards take

or

or surprize, according to the Lawes of *Pleau*: to which end he ordered to be drawn up in Writing an Obligation to himself as Captain, and the said *Parflow* as Lieutenant, expressing the Resolutions of the Subscribers upon their Oaths to live and die with them in this their present design, to which there subscribed one *Thomas Carre* alias *Richardson*, formerly Gunners Mate, whom he now made Master; one *Nathanael Estan* alias *Hillon*, whom he made Masters Mate, *Moses White* made Boatswain; thirteen Servants (who all voluntarily entered themselves upon the said Voyage for *Virginia*) together with most of the Seamen, many of them not daring to refuse. The persons names not subscribing nor consenting being *John Samuel* the former Boatswain, sore wounded; *Jacob Marrelly* the Chirurgion, *Leonard Cornelly* the Carpenters Mate, *Jacob Cornelly* the chief Boy, with three other Cabbin Boys, and *Benjamin Wilkins* servant to the said *Thomas Power*. All whom they forced along with them. The persons unwillingly or constrainedly subscribing the Writings were, *Thomas Wildsmith*, Serjeant *Andrew Matter*, and one *Clark* of *Tangier* Seamen. After the seizure of the Ship he possessed himself of all Letters and Writings relating to the Voyage, as well belonging to Captain *Lambert*, as also those in the possession of *Thomas Power*, except three Papers onely which *Power* hath concealed and reserved, almost all which he threw over board, lest any of them should discover his Piratical proceedings, and could not be perswaded to save a great large Bible that constantly lay upon the great Cabbin Table, from the mercy of the Waves, which whiles some of his own Crew endeavourd to perswade him to, he replyed, *You Cowards, what do you think to go to Heaven and do such Actions as these? No, I will make you Officers in Hell under me; and with that* threw

threw the Bible out at the great Cabin window, saying, *Go thou thy way Divinity, what has it to do with thee?* Upon which he presently altered his Course, and set Sayl for *Guinney*, intending there to convert the Cargo into Gold; in ten days time he run into fourteen Degrees and a half of Northern Latitude, but not being able to find the *Cape de Verde Islands*, and being ignorant whether he was to Windward or Leeward of any of them, and not having above a months fresh Water, he determined to Sayle full West, in hopes either of falling in with some of the Islands, or at worst to have the advantage of a Trade Wind for *Barbadoes*, where he arrived the fourth of *November* following; during this passage, as also before, he often solicited *Thomas Power* to close with him in his design, profering him not only his own goods, but the moyety of the Cargo besides, which *Power* refusing, wrought in *Cusack* such a jealousy of him, heightened with the discontents of his Confederates, that it was daily expected when *Power* should be murdered, and thrown over-board, being judged the only person that was in a capacity of discovering their piratical proceedings. The Boat with seven men forced to Sea, being concluded without fail lost, this merry Crew often drunk to them in Hell, though indeed they had more reason to conclude it nearer to themselves, which they were far enough from having any apprehension of, witness their daily Song, and their drunken bouts, which was

HANG sorrow, let's cast away care,
 the World is bound to find us;
 Thou, and I, and all must die,
 And leave this World behind us.

The

*The Bell shall ring, the Clark shall sing,
 The Good old Wife shall wind us.
 The Sexton shall lay our Bodies in Clay
 Where the Devil in Hell shall find us.*

In this passage she espied a Sayl to Windward, to whom she gave chase some hours, supposing it to be a *Portuguize* from *Brazile*, whom they intended to make a prize of, but were out-sayled by her, before their arrival at *Barbadoes*, where they determined to touch and sell for ready money, as much of the Cargo as they could, as also to carry as many men as they could get. They forced *Power* to draw up several Articles of their own dictating, to prevent the discovery of the Vessel, which they had likewise altered all they could, and now called her the *Valiant Prince*, pretending her to belong to *Dublin*, from whence she was freighted to *Cadiz*, laden with loose *Pipe-staves*, &c. by *Cusack*, *Barshov*, and others; and that there she invested the produce of her Goods in the present Cargo aboard, and was bound for *Jamaica*, and so back for *Dublin*; and that she hath lost her Boat at Sea in foul weather with seven men in it; when she sprung a Leak, that she touch't there to take in fresh Water, and to stop her Leak only: which pretences being proclaimed at the Main-mast, it was declared present Death to every man that gave out otherwise; with Order to sayl forthwith.

At *Carleso Bay* the Fourth of *November*, they saluted the Fort with seven Guns, who returned one: without touching, they keep their Course for *Speight Bay*, where they hoped to Treat with more privacy and security; but before they arrived there, a Sloop with the Kings Jack and Ancient out, was making after them; *Cusacks*

Vessel lay by for her, and upon her coming up, invited her Boat aboard, who examined *Cusack* whence he was, and whither bound, who answered as formerly agreed on. The Boat left one *Thomas Fox* aboard to bring him to an Anchor in *Speights Bay*, who immediately acquainted *Cusack* with the safe arrival of the Boat, & the seven men in her that he pretended he had lost at Sea, and that if he touch't there, my Lord *Willoughby* would presently seize him; that Captain *Lambert* had acquainted my Lord with all particulars; and that there was a Privateer setting out, that was ordered to pursue and retake him; that the said *Fox* knew his design, and resolved to live and die with him. Upon which Information *Cusack* called for a Pistol, and also *Parson* fired at the small Boat of the Sloop, but neither going off, the Sloop steered away, which *Cusack* repented he had not either sunk, or forcibly carried away with him.

From thence he immediately resolved for *Martinico* a French Island, and about eleven a Clock the same night he was overtaken by a small Vessel manned out by my Lord *Willoughby*; who being to Windward, and within Shot of *Cusack*, he fired about eleven Guns at her; upon which the Vessel immediately tacked and returned without firing a Gun; the next Day being betwixt *Sancta Lucia* and *Martinico*, and being becalmed towards the Evening, he espied a Katch plying to Windward, which he made towards all he could, but night coming on, he haled out and manned his Long-Boat with twelve men, whom he doubly armed, and commanded them to Board and take her whatsoever she was; the Long-Boat haling her, received this account, That she belonged to *Flushing*, and was bound to *Sirenam*, and desired them to keep off; upon which they durst not attempt her: but *Cusack* by this time
coming

coming up (the Katch not altering her Course) hailes her himself, being within Musquet shot, and commands her to Strike, otherwise he would sink her; but receiving no answer, he fired about ten Guns at her, besides some Small-shot, thinking himself sure of her; but in half an hours time she got the Windward and escaped; but what damage is uncertain.

The Eighth of *November* being *Sunday*, by break of day, with the King's *Jack* and *Ancient* out he came to an Anchor, betwixt the Town of *Martinico* and *Carbat*, giving himself out for a *Man of War*, bound from *London* to *Jamaica*; that he intended to touch at, but had missed *Barbadoes*, and wanting Water and Wood touched there to supply himself, which all the men aboard were then to give out upon pain of Death. With these pretences he sent his Boat ashore to the Fort, in which returned aboard with him one Mr. *Blake* an Englishman, pretending himselfe an Interpreter, with two English-men more, and some French, who acquainted him, that the Governour was at *Carbat* at Church; and that it was both customary for others, and would be necessary for him to kiss his hands; assuring him of all fair accommodation there. Upon their importunity, together with the invitation of the Captain of the Guard (by whom he sent the said Governour a large Looking-Glass as a Present) he was prevailed with to go ashore, and presently commanded with him *Thomas Power*: the Church being near the Sea-side, and their Service then ended, the Governour *Monfieur la Bier* (with many followers) meets *Cusack*, who discoursed with him in *French*: *Power* it seems conceiving there was then before him a most fit Opportunity, not only to discover the piratical proceedings of *Cusack*, but to recover the Vessel and Cargo, and bring the Pirates to condigne punishment,

acquaints the Governour with the sum and substance of what has been here related touching the Ship in the presence of *Cusack*, which was interpreted to him by the Black in the presence and hearing of two or three English-men more and many French, desiring the Governour that he would secure *Cusack*, with the Boats Crew (who all alledged their Vessels a *Man of War*, and *Power* only a Passenger, whom they were to deliver at *Jamaica*, to which they were all ready to give their Oaths) *Power* profering to make good the Truth of his accusation with his Life, and for the better satisfaction of the Governor, then produced the Orders and Instructions of his Principals, together with his Letter of Attorney, and Captain *Lambert's* General Bill of Lading, signed with his own hand, (which Papers, it seems, *Power* had privately secured) desiring they might be read; but *Monsieur la Bier* would neither suffer them to be read, nor secure *Cusack*, nor protect *Power*, nor send for other Testimonies from aboard, though he was earnestly entreated to do it; only ordered *Power* to draw up in writing what he had to charge *Cusack* with, and he would give him a farther hearing: *Power* not being believed, and being forced to shift for himself, *Cusack* with what men he could get makes haste aboard; and not daring to stay to weigh his Anchor, cuts his Cable the same night, and stands off to Sea, and the next Morning early sends his Boat ashore doubly arm'd to Leeward of the Town, and Waters and Woods by force, or at least by private connivence.

From thence he makes for *Mountserrat*, where he and the rest of his Confederates being under the sense of their own guilt, and knowing themselves fully discovered; endeavoured to piece up a kind of agreement with the Governour Colonel *Stapleton*, but not daring to trust them-

themselves under his power, and being informed that my Lord *Willoughby* was then upon his way for *England*, and intended to visit and strengthen the Leeward Islands in his passage, he withdrew himself to a small Island called *Anguilla*, where the Governour Captain *Hovel* (being informed of their villany, by the dispersed intelligence of *Power*) upon his coming ashore seized him and his Boats Crew, the particulars whereof you have here exposed to your perusal as it was taken out of *Cusacks* own Journal, under his own hand-writing, by which you may not only discover the nature of the man, but from thence experience how custom in sin begets in some men an opinion of the lawfulness of their actions, though never so criminal, villainous or injurious.

December the 9th. 1668. I went ashore, says he, with five men to look after six men that runn'd from the Ship, and some five miles in the Country after I drunk a little *Molby* at Captain *Hewes*, one *Roch* comes in and told me that two *Dutchmen* run away with the Boat, and hearing this I arose to go away, and stept some 40 or 50 paces from the House, they told me if I went any further I was a dead man, then I did suppose I was betrayed; then came one suddenly and profered to lay hold on me, thinking that I had nothing but my Cane, with that I pull'd out a Pocket Pistol and bid him stand off; and so came through two of their ambushes, meeting in my way one of their Lieutenants, called Lieutenant *Derrick*, whom I trust in amongst the rest of his consorts in the wood, and so going along until my wearied legs missing the path-way were forced into the woods, where they were sufficiently torn, till at last being very dry with such unsatiabable thirst, I found a puddle of rain water which contained to the value of a pint betwixt two Rocks, sharing to every one his portion, we marched further, and being troubled

troubled with the former thirst, we spied a House in the wilderness but the place a little plainer, where I espied a woman big with child, fearing to fright the woman we asked for some water which she tendred to us at our request, and withall taking notice of our wearied limbs to be scarce able to sustain our bodies treated me with a civil entertainment in her house, which was a Cup of cold water, being at that present more welcome to me than Gold, there I stayed for two hours to revive my thirsty soul which breathed for air, after this little space of time comes one *John Merideth*, and one *Bedkell*, both Merchants who courted me to yield upon terms, and deliver my Sword and Pistols to them, and the Governour should do the same, to which I did give consent being unable to live in those solitary and rather venomous woods, where *Mir-wings* & *Muscblers* sting'd us as bad as *Wasps*, then honour was forced to yield to unworthiness, for as sooon as the Governor (or rather a Swine driver) had spied my Rapier in one of those Gentlemen's hands he forced him to deliver my Rapier and Pistols, and this finished, till the next day following he summonned me again, and I delivered my self up upon conditions that I should have all my cloathes and moneys belonging unto me in the Ship. But what could I expect of a rebellious and unworthy *Bandida* which never did familiar himself with men, but with wild goats in those woods, he left me with one sute of cloaths and one shirt to my back, continuing among those Satyrs from the eighth day to the fifteenth, to requite my former kindness sent up with me two more, the Boat-swain and another, all three in Irons, down a Shallops hold, denying me only to breath in the Hatch-way, as if that I had perpetrated the greatest murder in the world, which was a great vexation to my Spirit, which with great courage being never inferiour to any, overcame this villainous action with patience. *It*

It would be too tedious to insert here the harcock that was made of the Ship and Cargo and Stores, with the hard usage of Captain Lambert, and the Supercargo Power, the design of this Paper being only to pursue the life and action of Cusack who from hence was sent up in Irons to Barbado's, where being committed to the Marshalls Custody, and afterwards to the Common-Goal, he with several other Felons broke Prison, and seizing upon an empty Boat ventured to Sea, and touching at an Indian Island or two to refresh themselves got down to Tartodos a French Island, where being arrived he met with an opportunity of surprizing another Ship to a greater value, the Particulars whereof you have as followeth.

A Frigate of 250 Tuns and 28 Guns mounted, called the *Saint Joseph*, belonging to *David Godfry* of *Lisbon* Merchant, and others his partners then residing at *Rockel*, being laden with *Campeach Wood*, *Varenius Tobacco*, *Coco*, and other Merchandize to the value of 25000 pieces of Eight, whereof 20000 were in ready money, and being ready to sail in the Month of *March* 1669. whereof one *Peter Asdel* was Captain, and *Stephen Goliard* Merchant or Supercargo; who considering the hazard the Ship and Cargo might run by the *Spanish Men of War* in those parts, who make prize of all Ships but their own betwixt the *Tropick*, thought it convenient for the better security of the Ship to strengthen her with as many men as they could conveniently get, and amongst many others unfortunately received aboard *George Cusack* and his Fellows, who having now been used and pretty well experimented in the Trade of surprizing, and having before-hand contrived and agreed upon their designed Treachery, the First of *April* following being the same night of their departure, they fell

fell' upon the Master and Merchant, and the rest of the *French* aboard being 27 in number, whom having mastered and secured in the Hold, they immediately let Sayl for *Carthagine*, and there exposed them to the mercy of the *Spaniards* their sore enemies without any relief or maintenance in a most miserable condition, where they remained 17 Months in close Imprisonment; he and his followers in the meantime making for *New-England*, conclude they might now pass with more security and out of fear of discovery, the proprietors being in no condition to pursue them or disperse Intelligence concerning the fact; during this passage we may reasonably conclude their carriage and behaviour was not much different from that of their former, if we consider only the new name they gave the second Piratical purchase, calling her now by the name of the *Flying Devil*, as indeed she might be so termed, as having none but Devils aboard her; however though the wind that fills Pyrats Sayls does in no case justify their actions, they shortly after arrived safely upon the Coasts of *New-England*, where in a short time they disposed of the Cargo of their Vessel, and afterwards burnt the Hull, as will appear more particularly by the ensuing Letter from thence.

Boston, N.E. Decemb. 23. 1673.

MR. GEORGE NEVIL,

SIR, Yours by Mr. Tirry I received, and should have been glad without the recommendation of our Kinsman upon that common account of Courtesie and assistance, that the course of Commerce and obligations of humanity is due to strangers to have opportunities and means to have answered
your

your request; but as I was at Rochel when the Pyrat Cusack came into these parts, so I cannot particularly acquaint you with his negotiations here; but since my return home by procurations from Mr. Bollereao an Agent from Rochel, I have been put upon enquiry after the concernment you recommended to me, and find that the Jurisdiction under which I live, viz. the Colonie, never countenanced the importation of any of his Commodities, but upon penalty of forfeiture interdicted the same, however some of the inhabitants of this place, and persons of considerable interest and estates concerned themselves with the person that purchased the Cargo, and landed and disposed of the same in the Colonie of New-Plimouth, and also made purchase of the Ship, and in exchange furnished the Pyrate with a small vessel or two to transport himself & Comrades, and upon consideration that the Frigate was not worth setting to Sea or not worthy to drink any other water, the Artillery, Ammunition, Sayles and Furnitures being secured they burnt the bottom. I understand that the common people of this Colony manifested a great dissatisfaction at the concernment of those that interested themselves, also that the authority resented the same, and took security from one Dominick Bodkin an Irish man, the principal correspondent with Cusack, to respond the claims of such as were concerned in the said Ship, and should in a year and a day prosecute the same; but the said term being elapsed and no demand made, his Bonds became void, and he by the improving of what his profit was there, is become very considerable, and this year hath been here with a very rich Cargo; and had the order you intimate met him, it might possibly have prevailed for some competent satisfaction; the Magistrates and People hearing a general displacency against those that were concerned, but him in particular, as being the only and immediate Agent; he is gone hence for Virginia and thence is intended for Flanders, with at least a 1000 Hogsheads of Tobacco in two Ships upon his employment; and in regard his

since here hath been so good, 'tis probable he may come here again. Hereby your self or friends may know how to govern their expectations, and wherein I may serve you or them I shall be ready to assure you I am.

Your faithful friend and servant;

Richard Wharton.

Cusack having thus altered the property both of Vessel and goods, and being no doubt plentifully stored both with monies and rich goods, his insatiate desire still thirsting after more, he could not forbear enlarging his own share, though with the loss of several of his own Crew, who being big with expectations of their proportions of the whole product, and being resolved to be more than ordinarily merry ashore, at parting he gives them a small sum of money to that purpose, and whilst they were in the height of their merriment, he with the rest of his Countrymen and principal Confederates make all the Sail they could, leaving their Fellows as empty of their hopes, as full of their liquor, a pleasant but not sufficient reward for such villains. Hence he steers his course for *Ireland*, and though report gives an account of some small depredations he was guilty of in his way thither, yet I am unwilling to trouble the Reader with matters of uncertainty, his whole life being a series of continued Villainies, of which there are too many and too true instances.

Being therefore arrived in *Ireland*, and having disposed of the product of his ill gotten purchases as he thought most convenient, and that he might follow his old trade with less suspicion, he provides himself with an old *Greenland* Shallop, and with others of his Crew putting

to

to Sea, in *Saint George his Channel* they meet with a *Malligo Ship* of Twenty four Guns, fraighted by own Mr, *Fleming*, and bound for *Glasco* in *Scotland*, whom they made towards all they could, and coming up with her pretended themselves to be Shipwrackt men, and were ready to starve for want of sustenance, the Captain out of pitty received them aboard as distressed men, and having plentifully relieved them with all things necessary, little expecting so sad a return of his kindness, they according to their wonted custom seized the Vessel, and carried her for *Galloway* in *Ireland*, where they disposed of her and her Cargo, and sent the Captain and his men in the *Greenland Shallop* to the mercy of the Seas, who by Gods providence got the *English* shores.

But now his many and frequent Piracies having rendered him notorious in those Seas, he thought it most safe to retire himself for some time within land, and to that end having provided himself with Horses, he associates himself with a Company of Tories, and after many robberies, he could not forbear falling upon the House of one *William Charvelly* a Quaker, for which some Months after he was apprehended and committed to Prison in *Dublin*, where putting in Bail for his appearance the Term following, in the interim he made for *England*, acquainting his Bail that he was gone thither to endeavor to procure his pardon, which if he obtained he would then return in certain weeks, otherwise he must shift for himself.

After his private abode in *England* for some time, he went over for *Holland*, where prying to and again for some advantage, and pretending to have deserted the *French* Service, and that he intended for *England*, having several associates along with him he became acquainted

with one *Simon Harcourt*, who was taken on by one Mr. *Callhoorn* owner of the Ship *Robert*, for Master of that Ship upon a Voyage to *Newcastle*, with whom confederating for the surprize of the Vessel, they accordingly effected their design as particularly appears by the depositions following.

Edward Creswel of *London-derry* maketh Oath, that about the first day of *July* last past, being aboard the Ship, called the *Robert*, one Mr. *Callhoorn* being owner, the said Ship being bound from *Amsterdam* to *Newcastle*, one *Symon Harcourt* being Master, did take in one *Smith*, alias *Dixon*, alias *Cusack*, with several others of the said *Cusacks* Companions, pretending themselves to be passengers, and the said Ship being at Sea, this Deponent did often observe the said *Harcourt* and *Cusack* and the rest of the pretended Passengers whispering together, which gave this Deponent cause to believe, that the said *Harcourt* and *Cusack*, and the rest of his pretended Passengers, did intend to surprize and seize the said Ship; soon after one of *Cusacks* Companions (this Deponent being asleep) came to him with a Sword drawn in his hand, and did awake this Deponent striking him over the face with the flat of his Sword, and calling him *Dog*, Swearing several Oaths, using the Deponent in a very ill manner; and said the Ship was their own, and that they seized her by Vertue of a *French Commission*; and afterward came up with three Ships, two *Swedes*, and one *Dane*, and Robb'd them, leaving them not so much as *Viuals* to maintain them for *Twenty four Hours*, having taken their *Sails*, *Cables* and *Anchors*, leaving them to the mercy of the Sea, and one *Main-Sail*; and having begged on their knees for their *Fore-Sail*, and
Anchor,

Anchor, in a passion they let their Water go out of their Casks which was more dear to them than their Victuals, he bidding them go, the Devil would furnish them with Sails and Anchors; this Deponent having humbly begged for a Sute of his own Cloaths, after all being taken from him but his Shirt and his Drawers, Cusack with his Sword drawn caused him to leap over board, and if the Danes Bout had not been near, (whom they had Robb'd) this Deponent had been drowned; and this Deponent further maketh Oath that they took out of the said Swede Ship, a parcel of Dollars to the value of 1000. as this Deponent on Oath believes, with much other Merchant goods; It was made out upon Oath by the Master of the said Swede Ship, before the Council of Ellsenore, that he did take out of the said Ship all the Victuals and Water, excepting half a Barrel of Water and a little broken Bisquet, and left them but with one Sail and one Anchor, and that the said Ship was left to the mercy of the Sea, having fourteen days Sailing to Ellsenore.

*Jurat. the 22 day of September, 1674.
coram me, Ma. Bramston.*

Being possessed of the Vessel, soon after that he seized another Ship called the *Saint Anne* of 500 Tuns, bound from *Norway* to *London* with Timber and Deals, chiefly belonging to Captain *Shorter* of the *Bank-side*; and at the same time seized an old Fly-Boat belonging to a *Dane*, which after having plundred and taken away her Fore-sayl, with one Anchor and a Cable, and utterly disabled her, he put the men into her that belonged to the *Saint Anne*, and turned her adrift, whom it pleased God, after much hazzard and hardship, to send safe ashore near *Tarmonth*; but he immediatly sayled

led with the Saint *Anne* to *Aberdeen* in *Scotland*, where (having disposed of parcel of her loading by the way) he sold her and her remaining lading for betwixt 2 and 3 hundred pound, though she was esteemed worth about three thousand pound: after which he came to the *Thames*, and had the confidence to come to an Anchor betwixt the Forts at *Gravesend*, where he continued two nights and a day; but not finding himself secure there, he retired to *Lee-Road*, where he lay nine days before any discovery was made of him; but notice being given to one Lieutenant Colonel *Kennedy*, (who was the man that took him) by the Owner of the Ship *Robert* of her surprise, and Lieutenant Colonel *Kennedy* receiving intimation of her being at *Lee*, obtained a Warrant for her apprehension from the Court of Admiralty, which was accordingly executed, as appears by the following Deposition.

James Dalton of Saint Giles in the Fields, in the County of Middlesex, maketh Oath, that he this Deponent on the twenty fourth of August last came to Lee with Lieutenant Colonel Kennedy, about ten of the Clock in the Evening, and the said Colonel Kennedy then having a Warrant from the Judge of the Admiralty to seize a Ship called the Robert, this Deponent then knowing her to be a Robber or Pirate, for he sailed in her when she belonged to one Mr. Calhoone the right Owner, and was on board her when she was surprised by Captain Cusack, alias Smith, alias Dixon, who then came as a Passenger in her from Amsterdam about June last; about four Leagues from the Fly, the said Smith, alias Dixon, alias Cusack, seized the said Ship; and a few hours after came up with three Ships, viz. two Swedes and one Dane, and robbed them of
their

their Sayls, Anchors, Merchandize, and Provision, leaving nothing but one Sayl and Anchor to each, and left them to the mercy of God and the Sea, and came into Alford Creek, and sold the Plunder there, this Deponent being then one of the Ships Company; all which this Deponent informed the Justice of in the presence of the said Lieutenant Colonel Kennedy when they came to him with the Warrant of Admiralty to seize the said Ship: and further, that he was a notorious and desperate person, he cared not what he did. And this Deponent too then desired the said Justice to be very careful of the Prisoners which he had on shore out of the Ship, for they would use all violent and desperate means to carry off the said Ship, their lives being at stake: and the said Justice replied, they were all honest men, the Ship should not be taken away, he would secure it, which he said in presence of Colonel Kennedy and one Mr. Dermot and others; notwithstanding that the said Justice did say, that he had a suspicion of them the next Morning after the Ship came.

Jurat. 18. die Septemb. 1674.

Coramme, Ma. Bramston.

The said Ship-Robber being thus secured at Lee, and his Sayls brought ashore, and secured there also, Cusack at the same time being absent upon new designs for more purchase, but hearing how things went, makes all the haste he could to Lee, where he and his Comrades partly by force, and partly by connivence, repossessed themselves of Ship and Sayls, and turned the man ashore that was in possession of her; Colonel Kennedy then being with the Judge of the Admiralty for a special Warrant :

Warrant : which being obtained, he returned with one of his Majesties *Tacks*, and Mr. *Joynes* the Marshal of the Admiralty, who pursued the said Vessel, and found her at Anchor near the *Essex*-shore, waiting for more of their Comrades to come aboard. When *Cusack* saw the Kings *Tacht* and Colours, he would have engaged, but his men would not : he being on the Deck with a Pistol in each hand, swore *God dam him that he should be hanged*, which was to the great grief and loss of many a Merchant, that his Oath was not sooner kept, and to the good of others so soon, leaving his Ship plentifully victualled with fresh Meat; for he and his Crew the two Nights they were gone had stolen a number of Sheep from *Essex*, according to their wonted custom, whereof some killed, some alive were found aboard : he was constrained with the rest to submit himself a Prisoner, and from thence was brought and committed to the *Marshalsey* in *Southmark*.

It now remains, that I give you an Account of the Tryal and Sentence of this famous Pirate, which cannot be better taken than from the *Accompt* then, which followeth.

A N

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A N
Exact Narrative
OF THE
T R Y A L S
OF THE
P Y R A T S:

A N D

All the PROCEEDINGS at the late *Goal-Delivery* of the *Admiralty*, Held in the *Old-Bayly*, on *Thursday* and *Saturday*, the 7th and 9th of *Jan.* 1674.

W H E R E

Eight Persons were Condemned to dye. *Viz.*

| | | |
|----------------------------|---|----------------------|
| Capt. George Cusack, alias | } | Gerrard Stack. |
| Dixon, alias Smith. | | Henry Lovewell. |
| Gerrard Coundon. | | Symon Harcourt. |
| William Collingwood. | | Michael Fitz-Gerald. |

For taking, and Robbing Two Ships, *viz.* the *Robert*, near the *Fly*: And the *Anne* on the *Dogger-Sands*; With several others.

And many other Circumstances there very Remarkable: The like Court having not been held for many years before.

Printed in the Year, 1675.

THE
OF THE
T. R. Y. A. L. S.
OF THE
P. Y. R. A. T. S.



AN EXACT NARRATIVE

OF THE
Tryals of the Pyrats;

AND
All the PROCEEDINGS at the late *Goal-Delivery* of the *Admiralty*; Held in the *Old-Baily*,
on *Thursday*, and *Saturday*, the 7th and
9th of *January*, 1674.

Captain *George Cusack*, sometimes called *Dixon*, and at other times *Smith*, with several of his Confederates, having been detained above Six Months Prisoners in the *Marshalses*, in order to their Tryals: Which at last was appointed to be on *Thursday* the 7th of *January* Instant, at *Justice-Hall* in the *Old-Baily*, as a Place most convenient for that purpose. But this

Captain, being it seems Conscious to his own Merits, and apprehensive of the Danger ; on *Munday* before in the Night-time, broke Prison ; Getting first down a Chimney into a lower Chamber, and then by a Rope into a Garden, and so Cleverly made his Escape : And could not be heard of till this very *Thursday*, just as the Court was going to sit.

At which time, Diligent Enquiry having been made all wayes, and Rewards promised for his Discovery ; News came, That there was notice of him at a certain House towards the Upper end of *Holbourn*. Where immediately after he was taken in Bed with a Woman ; who was brought along with him, forthwith to the *Old-Baily*, and was by some reported to be his Sister. The other Prisoners were brought over the Water with a strong Guard.

The Court was held by a Special Commission of *Oyer and Terminer*, and Goal-Delivery, directed to Honourable Persons of the Court of *Admiralty* ; and several of his Majesties Justices of the Courts at *Westminster*, &c. A Silver Oar was born before the Judge of the *Admiralty* ; And Three Anchors put upon a Cloth above the Kings-Arms, over the Bench.

The Judge after the *Commission* read, gave his Charge to the Grand-Inquest, in an Excellent Oration, acquainting them with his Majestie's Right of Sovereignty over the *British* Seas ; even to the very Shoars of his Neighbours. That they have alwayes been accounted, The Royal Chambers of our English Monarchs : Whole Jurisdiction extends to punish all Outrages, Violences and Offences whatsoever, committed thereupon, by any persons, (whether his Subjects, or Strangers,) upon Ships, Persons, or Goods, of our own Nation ; or others in Amity with us. Then
he

he shewed the heynousness of the Crime of *Pyracy*; That it was against the Law of Nations, Destructive to *Commerce*: and therefore particularly branded by our *English Laws*, by being excepted out of the benefit of Clergy; allowed in other cases. Dividing the Offences he had to give them in Charge, as the Subjects of their Enquiry at this time, into things against the *Statute Law*; and things contrary to the *Laws, Customs* and *Usages* of the *Admiralty*. On each of which, he particularly enlarged. And amongst other things, declared the Ceremony of the *Flagg*, to be our King's Indubitable Right; whereby all Ships whatsoever, in those Seas, are bound to strike to those of his Majestie's, where ever they meet them: And that all that refuse so to do, are severely punishable by the *Laws* of the *Admiralty*, &c.

Immediately after this, Six Prisoners were brought to the Barr, viz. *George Cusack, William Coundon, Gerard Stack, Symon Harcourt, Henry Lovewell, and William Collingwood*; Who were Indicted, For that on the Third day of *July* last past, they Pyratically, and Feloniously did set upon a Ship called the *Robert*, near a place called the *Fly*, on the Coasts of *Holland*. And by another Indictment, *That they had Feloniously stoll'n several Goods out of another Ship, whose name to the Jurours was unknown*. To both these Indictments they pleaded *Not Guilty*. But upon the *Evidence*, the Case appeared to be in effect thus: *Cusack*, and others of his Company, having a Design to Rob this Ship, and understanding the Muster wanted Sea-men, set Two of their Confederates to offer their Service to him. Where they were entertained, and at last betrayed the Ship into his hands: which he carried it away.

The Captain at the first took some exceptions to the
Jury,

Jury; not for any prejudice against any particular men of them; but because they were Citizens, who did not (he said) understand Maritime-Affairs. And that it was necessary, Sea-Captains, and Masters of Ships should have been Impannell'd. Upon which occasion he cryed out, *We will be Tryed (my Lord) by men of our own Trade!* Which being understood in another sense, made not only the Audience, but his fellow Prisoners to laugh heartily. But being over-ruled in this, he next insisted on a *Commission* from the *French King*. Which was read, but was found to be directed to another person: But he alledged, it was his Kinsman, who had the Grant of a *Commission* at the same time; and that by mistake the *Commissions* were changed: and so his Kinsman's *Commission* sent to him from *Callice* to *London*, where he paid a Sum of Money for it to the *French Resident*: And that he not being able to read *French*, could not perceive the *Erreur*, but acted by it, not doubting but that it had been his own. And that this Ship the *Robert*, was never made any free Ship of *England*; but the Owners were *Dutch*, and lived in *Rotterdam*; and that he hoped the Court would allow of his *Commission*.

The Court told him, The *Commission* was nothing worth. For if it had been directed to him, (as it was not) there was yet no power given him thereby to seize Ships of *England*, as this proved to be. Besides, they ask'd, *How he durst take a Commission from any Foreign Prince, directly contrary to the late Treaty, and his Majesty's Proclamation?* To which he Replyed, *That his Commission bore date before that Proclamation.* And besides insisted, *That whereas by the Indictment he was charged with an Offence committed Super altum Mare, upon the Sea; This Ship was taken in one of the Dutch Ports,*

Ports, and so not appertaining to the Jurisdiction of the English Admiralty. But this the Witnesses retuted, proving she was taken Three Leagues out at Sea, from the *Fly*.

This Mr. *Cusack* appeared to be a Person of a Clear Courage, and good understanding: he pleaded very well for his life, but the matter was too foul to be washt off with good words.

The Court having withdrawn about an hour, returned to give Judgment. Which was performed in most Grave and Solid Speeches; setting forth the nature, and aggravations of their Crimes; and advising them to prepare for death, &c. Captain *Cusack* presented a Petition; wherein he begg'd his life very pathetically: Recounting his former Services; and offering himself to the Service of his Majestie's Gallies at *Tangier*, till by his future good Demeanour and Services, he might wash off the stains of his late ill Actions, &c. Most of the others presented Petitions also, desiring Mercy and Favour of the Court: who proceeded to give Judgment. Which against Captain *Cusack*, and the Seven others, before mentioned, to be Convicted for Piracy and Robbery, was, *That they should be hang'd till they were dead.*

FINIS.

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